

REMARKS

Claims 1-35 are pending in this application. By this Amendment, claims 1-20 are amended, and new claims 30-35 are added.

In particular, claims 1-20 are amended at Applicant's preference, to replace means-plus-function language with structural language. These claim amendments are not related to substantial reasons of patentability. Reconsideration of the application is respectfully requested.

The Office Action rejects claims 1-29 under 35 U.S.C. §102(f) over U.S. Patent 6,578,095 to Tanaka et al. This rejection is respectfully traversed.

The Office Action asserts that the subject matter recited in claims 1 and 2 is disclosed, although not claimed, in Tanaka. Thus, the Office Action requests clarification as to the true inventors of the subject matter recited in claims 1 and 2.

As indicated in the attached Declaration under 37 C.F.R. §1.132, the inventors of the present application are the inventors of the subject matter disclosed in the portion of Tanaka cited in the Office Action. Thus, the inventors of the present application are the true inventors of the subject matter recited in claims 1 and 2.

In addition, the subject matter disclosed in the portion of Tanaka cited in the Office Action and the subject matter recited in claims 1 and 2 of the present application were inventions owned by, or subject to an obligation of assignment to, the same entity (Seiko Epson Corporation) at the time the inventions were made.

Accordingly, withdrawal of the rejection of claims 1-29 under 35 U.S.C. §102(f) is respectfully requested.

The Office Action rejects claims 1-29 under 35 U.S.C. §103(a) over Tanaka. This rejection is respectfully traversed.

As stated above, the subject matter disclosed in Tanaka and the subject matter recited in claims 1-29 were owned by, or subject to an obligation of assignment to, the same entity at

the time the inventions were made. Additionally, Tanaka, in terms of its filing and publication dates, qualifies as prior art only under §102(e). Thus, this rejection is moot under 35 U.S.C. §103(c) and M.P.E.P. §706.02(l).

Accordingly, withdrawal of the rejection of claims 1-29 under 35 U.S.C. §103(a) is respectfully requested.

New claims 30-35 are believed to be patentable. For example, independent claim 30 is a method claim corresponding to apparatus claim 1, which is allowable as discussed above.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-35 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:GXL/sqb

Attachment:

Declaration Under 37 C.F.R. §1.132
Amendment Transmittal

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